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HOUSE BILL 9

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Edward C. Sandoval

FOR THE LEGISLATIVE FINANCE COMMITTEE

AN ACT

RELATING TO CAPITAL OUTLAY; LIMITING CERTAIN GENERAL FUND
APPROPRIATIONS AND REVERTING BALANCES; CHANGING CERTAIN
SEVERANCE TAX BOND AUTHORIZATIONS AND APPROPRIATIONS OF
PROCEEDS; PROVIDING FOR REVERSION OF CERTAIN BALANCES;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. GENERAL FUND BALANCES REVERTED.--The following
appropriations from the general fund shall not be expended, and
the unexpended balances up to the amount specified shall revert
to the general fund:

A. six hundred fifty-two thousand eight hundred
seventy-five dollars (\$652,875) to the capital program fund in
Paragraph (13) of Subsection B of Section 44 of Chapter 126 of
Laws 2004 for an office complex to house health-related state

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1 agencies in Santa Fe in Santa Fe county;

2 B. nine hundred three thousand one hundred forty-
3 nine dollars (\$903,149) to the capital program fund in
4 Subsection 1 of Section 64 of Chapter 111 of Laws 2006 to plan,
5 design, construct, improve and renovate the facility and
6 infrastructure at the state government center in Albuquerque in
7 Bernalillo county;

8 C. nine hundred eighty-five thousand dollars
9 (\$985,000) to the capital program fund in Subsection 1 of
10 Section 24 of Chapter 429 of Laws 2003 and reauthorized in Laws
11 2008, Chapter 83, Section 43 for planning and designing the
12 state laboratory services building in Albuquerque in Bernalillo
13 county;

14 D. two million eight hundred thousand dollars
15 (\$2,800,000) to the capital program fund in Subsection 15 of
16 Section 38 of Chapter 42 of Laws 2007 and in Subsection 2 of
17 Section 4 of Chapter 2 of Laws 2007 to plan, design, construct,
18 renovate and equip a substance abuse treatment center in Los
19 Lunas in Valencia county;

20 E. one million dollars (\$1,000,000) to the
21 department of information technology in Laws 2008, Chapter 92,
22 Section 56 to purchase a computing system for the state;

23 F. two million dollars (\$2,000,000) to the economic
24 development department in Subsection 4 of Section 43 of Chapter
25 92 of Laws 2008 for an Eclipse aviation maintenance center

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1 facility in Bernalillo county;

2 G. two million dollars (\$2,000,000) to the economic
3 development department in Subsection 5 of Section 32 of Chapter
4 347 of Laws 2005 to make needed investments to stimulate
5 economic development statewide;

6 H. thirty thousand dollars (\$30,000) to the public
7 education department in Subsection 319 of Section 39 of Chapter
8 111 of Laws 2006 and reauthorized in Laws 2008, Chapter 83,
9 Section 313 for improvements at the Espanola military academy
10 in Rio Arriba county;

11 I. seventy-five thousand dollars (\$75,000) to the
12 public education department in Subsection 152 of Section 48 of
13 Chapter 347 of Laws 2005 for improvements to the Espanola
14 military academy in the Espanola public school district in Rio
15 Arriba county;

16 J. fifty-nine thousand dollars (\$59,000) to the
17 public education department in Subsection 397 of Section 44 of
18 Chapter 92 of Laws 2008 for information technology and related
19 equipment, furniture and infrastructure for the Espanola
20 military academy in the Espanola public school district in Rio
21 Arriba county;

22 K. three hundred eighty-eight thousand eight
23 hundred fourteen dollars (\$388,814) to the energy, minerals and
24 natural resources department in Subsection 10 of Section 54 of
25 Chapter 111 of Laws 2006 for facilities and infrastructure at

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1 Red Rock state park in McKinley county;

2 L. two million seven hundred thousand dollars
3 (\$2,700,000) to the energy, minerals and natural resources
4 department in Subsection 2 of Section 33 of Chapter 347 of Laws
5 2005 for bosque revitalization and to plan and develop trails
6 in the north bosque area along the Rio Grande;

7 M. two million dollars (\$2,000,000) to the office
8 of the state engineer in Subsection 6 of Section 20 of Chapter
9 2 of Laws 2007 and in Subsection 9 of Section 58 of Chapter 42
10 of Laws 2007 to repair and rehabilitate acequia water storage
11 projects statewide;

12 N. one million dollars (\$1,000,000) to the office
13 of the state engineer in Subsection 20 of Section 42 of Chapter
14 111 of Laws 2006 to repair and improve Cabresto Lake dam in
15 Taos county;

16 O. two million dollars (\$2,000,000) to the office
17 of the state engineer in Subsection 11 of Section 34 of Chapter
18 347 of Laws 2005 for dam renovations and repairs statewide;

19 P. nine hundred forty-six thousand seventy-seven
20 dollars (\$946,077) to the office of the state engineer in
21 Subsection 18 of Section 42 of Chapter 111 of Laws 2006 to
22 acquire water, water rights and storage rights to comply with
23 the Endangered Species Act of 1973 for the strategic water
24 reserve statewide;

25 Q. five hundred thousand dollars (\$500,000) to the

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1 office of the state engineer in Subsection 10 of Section 58 of
2 Chapter 42 of Laws 2007 to acquire water, water rights and
3 storage rights to comply with interstate compacts and court
4 decrees in managing water for endangered species;

5 R. one million dollars (\$1,000,000) to the
6 department of environment in Subsection 48 of Section 59 of
7 Chapter 42 of Laws 2007 to plan, design and construct
8 improvements to the water and wastewater system in Sunland Park
9 in Dona Ana county;

10 S. two hundred fifty thousand dollars (\$250,000) to
11 the department of environment in Subsection 74 of Section 59 of
12 Chapter 42 of Laws 2007 for utility line extensions in Lea
13 county;

14 T. two million five hundred thousand dollars
15 (\$2,500,000) to the department of environment in Subsection 87
16 of Section 59 of Chapter 42 of Laws 2007 to plan, design and
17 construct improvements to the regional wastewater treatment
18 plant in Ruidoso Downs in Lincoln county;

19 U. one million four thousand dollars (\$1,004,000)
20 to the department of environment in Subsection 157 of Section
21 45 of Chapter 111 of Laws 2006 to plan, design and construct
22 water system leakage repairs in the Pueblo of Cochiti in
23 Sandoval county;

24 V. three million dollars (\$3,000,000) to the
25 department of environment in Subsection 143 of Section 45 of

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1 Chapter 111 of Laws 2006 for improvements to the water reuse
2 and distribution facilities in Rio Rancho in Sandoval county;

3 W. one million seventy thousand dollars
4 (\$1,070,000) to the department of environment in Subsection 63
5 of Section 36 of Chapter 347 of Laws 2005 for improvements to
6 the regional water and wastewater system in Pojoaque in Santa
7 Fe county;

8 X. two hundred fifty thousand dollars (\$250,000) to
9 the department of finance and administration in Subsection 9 of
10 Section 61 of Chapter 42 of Laws 2007 for the New Mexico
11 mortgage finance authority to provide energy-efficient systems
12 and improvements affixed to real property statewide;

13 Y. five hundred thousand dollars (\$500,000) to the
14 department of finance and administration in Subsection 6 of
15 Section 50 of Chapter 92 of Laws 2008 to the New Mexico
16 mortgage finance authority for energy-efficient systems and
17 improvements to real property statewide;

18 Z. three million dollars (\$3,000,000) to the
19 department of finance and administration in Subsection 7 of
20 Section 50 of Chapter 92 of Laws 2008 for film and media
21 production, education and training facilities and other film
22 initiatives statewide;

23 AA. three million four hundred forty-five thousand
24 two hundred thirty dollars (\$3,445,230) to the department of
25 finance and administration in Subsection 3 of Section 31 of

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1 Chapter 126 of Laws 2004 for a film production education and
2 training center and studio;

3 BB. one million dollars (\$1,000,000) to the
4 department of finance and administration in Subsection 9 of
5 Section 50 of Chapter 92 of Laws 2008 for local fair and arena
6 rodeo facilities statewide;

7 CC. two million four hundred ninety-eight thousand
8 two hundred fifteen dollars (\$2,498,215) to the department of
9 finance and administration in Subsection 3 of Section 47 of
10 Chapter 111 of Laws 2006 for media production, education and
11 training facilities, programs and initiatives statewide;

12 DD. five hundred thousand dollars (\$500,000) to the
13 department of finance and administration in Subsection 4 of
14 Section 61 of Chapter 42 of Laws 2007 for pre-kindergarten
15 classrooms, including portables, statewide;

16 EE. nine million three hundred twenty-nine thousand
17 two hundred twenty-two dollars (\$9,329,222) to the department
18 of finance and administration in Subsection 9 of Section 47 of
19 Chapter 111 of Laws 2006 for rodeo arena facilities related to
20 the statewide rodeo initiative;

21 FF. two hundred six thousand six hundred forty-four
22 dollars (\$206,644) to the department of finance and
23 administration in Subsection 1 of Section 31 of Chapter 126 of
24 Laws 2004 to provide matching funds for innovative water
25 resources projects statewide;

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1 GG. two million three hundred thousand dollars
2 (\$2,300,000) to the department of finance and administration in
3 Subsection 10 of Section 61 of Chapter 42 of Laws 2007 for leak
4 detection and regional and demonstration water system projects
5 statewide;

6 HH. one million dollars (\$1,000,000) to the
7 department of game and fish in Subsection 2 of Section 48 of
8 Chapter 111 of Laws 2006 to plan, design and improve the
9 spillway of Bear Canyon dam in Grant county;

10 II. one million dollars (\$1,000,000) to the
11 department of game and fish in Subsection 4 of Section 48 of
12 Chapter 111 of Laws 2006 for water leakage improvements to the
13 Clayton Lake dam and surrounding area in Union county;

14 JJ. three hundred thirty-two thousand dollars
15 (\$332,000) to the public education department in Subsection 442
16 of Section 55 of Chapter 42 of Laws 2007 for nonpublic school
17 computers and reauthorized to the general services department
18 in Subsection C of Section 210 of Chapter 83 of Laws 2008 to
19 purchase an airplane in Santa Fe in Santa Fe county;

20 KK. two million dollars (\$2,000,000) to the
21 department of health in Subsection 2 of Section 49 of Chapter
22 111 of Laws 2006 for improvements to school-based clinics and
23 department of health facilities and reappropriated in Paragraph
24 (1) of Subsection A of Section 95 of Chapter 42 of Laws 2007
25 for the public health office in Bernalillo county;

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1 LL. two million dollars (\$2,000,000) to the human
2 services department in Laws 2008, Chapter 92, Section 54 for
3 domestic violence projects to maintain, repair and renovate
4 facilities to ensure consistent domestic violence service
5 delivery and to plan, design, construct, equip and furnish
6 additional shelters statewide;

7 MM. one million dollars (\$1,000,000) to the Indian
8 affairs department in Subsection 87 of Section 66 of Chapter 42
9 of Laws 2007 to plan, design and construct improvements to the
10 airport at Ohkay Owingeh in Rio Arriba county;

11 NN. Section 72-1-12 NMSA 1978 and Laws 2007,
12 Chapter 42, Section 88 notwithstanding, ten million dollars
13 (\$10,000,000) to the Indian water rights settlement fund in
14 Laws 2007, Chapter 42, Section 88 to implement the state's
15 portion of the settlement of water rights in the *Navajo Nation*,
16 *Taos* and *Aamodt* cases;

17 OO. one million five hundred thousand dollars
18 (\$1,500,000) to the interstate stream commission in Laws 2007,
19 Chapter 42, Section 89 and reauthorized in Laws 2008, Chapter
20 83, Section 400 to purchase land and water rights and for
21 development of augmentation well fields and pipelines for
22 implementing the Pecos River Compact settlement;

23 PP. three million five hundred thousand dollars
24 (\$3,500,000) to the local government division in Subsection 44
25 of Section 68 of Chapter 42 of Laws 2007 for infrastructure for

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1 an automobile assembly operations economic development project
2 in Bernalillo county;

3 QQ. two hundred fifty thousand dollars (\$250,000)
4 to the local government division in Subsection 11 of Section 68
5 of Chapter 42 of Laws 2007 to purchase land for open space
6 adjacent to the Gutierrez Canyon open space area in Bernalillo
7 county;

8 RR. seven million twenty-five thousand dollars
9 (\$7,025,000) to the local government division in Subsection 35
10 of Section 68 of Chapter 42 of Laws 2007 and in Subsection 5 of
11 Section 26 of Chapter 2 of Laws 2007 for a state multipurpose
12 equestrian facility on open space property in Bernalillo
13 county;

14 SS. fifty thousand dollars (\$50,000) to the local
15 government division in Subsection 13 of Section 59 of Chapter
16 92 of Laws 2008 for the Fisher and Smith memorial gymnasium at
17 the Vista Grande community center in Bernalillo county;

18 TT. one hundred thousand dollars (\$100,000) to the
19 local government division in Subsection 10 of Section 68 of
20 Chapter 42 of Laws 2007 to equip the Fisher and Smith memorial
21 gymnasium at the Vista Grande community center in Bernalillo
22 county;

23 UU. two hundred five thousand dollars (\$205,000) to
24 the local government division in Subsection 43 of Section 45 of
25 Chapter 347 of Laws 2005 for a gymnasium to be jointly used by

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1 East Mountain high school and Vista Grande community center in
2 Bernalillo county;

3 VV. seven hundred forty-nine thousand two hundred
4 eighty-five dollars (\$749,285) to the local government division
5 in Subsection 50 of Section 68 of Chapter 42 of Laws 2007 for
6 construction, equipment, furnishings and exhibits at the
7 Anderson-Abruzzo international balloon museum in Albuquerque in
8 Bernalillo county;

9 WW. one million dollars (\$1,000,000) to the
10 department of health in Subsection 2 of Section 49 of Chapter
11 111 of Laws 2006 for improvements to school-based clinics and
12 facilities statewide and reauthorized to the local government
13 division in Paragraph (1) of Subsection B of Section 95 of
14 Chapter 42 of Laws 2007 for a county health facility in Grant
15 county;

16 XX. three million dollars (\$3,000,000) to the local
17 government division in Subsection 637 of Section 52 of Chapter
18 111 of Laws 2006 to plan, design and construct bikeways and
19 horse trails in Santa Fe county;

20 YY. five million seven hundred thousand dollars
21 (\$5,700,000) to the local government division in Subsection 704
22 of Section 68 of Chapter 42 of Laws 2007 for film and media
23 production, education and training facilities and other film
24 initiatives statewide;

25 ZZ. five million dollars (\$5,000,000) to the local

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1 government division in Subsection 653 of Section 52 of Chapter
2 111 of Laws 2006 for local fair and arena rodeo facilities
3 statewide;

4 AAA. five hundred thousand dollars (\$500,000) to
5 the local government division in Subsection 702 of Section 68
6 of Chapter 42 of Laws 2007 for local fair and arena rodeo
7 facilities statewide;

8 BBB. five hundred thousand dollars (\$500,000) to
9 the department of transportation in Subsection 15 of Section 60
10 of Chapter 111 of Laws 2006 for landscaping improvements at the
11 interchange of interstate highways 40 and 25 in Albuquerque in
12 Bernalillo county;

13 CCC. one million five hundred thousand dollars
14 (\$1,500,000) to the department of transportation in Subsection
15 127 of Section 75 of Chapter 42 of Laws 2007 for a paved access
16 road for the Strauss facility of the Santa Teresa port of entry
17 in Dona Ana county;

18 DDD. one million fifty thousand five hundred
19 dollars (\$1,050,500) to the higher education department in
20 Subsection A of Section 38 of Chapter 126 of Laws 2004 to plan,
21 design, construct and equip career technical-vocational
22 education centers statewide;

23 EEE. Laws 2001, Chapter 345, Section 3
24 notwithstanding, three million seven hundred sixty-nine
25 thousand four hundred forty-two dollars (\$3,769,442) to the

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1 water and wastewater project grant fund in Laws 2001, Chapter
2 345, Section 3 to carry out the provisions of Section 6-21-6.3
3 NMSA 1978; and

4 FFF. Section 72-4A-9 NMSA 1978 and Laws 2002,
5 Chapter 110, Section 47 notwithstanding, two hundred ninety-
6 four thousand six hundred twenty-seven dollars (\$294,627) to
7 the water project fund in Laws 2002, Chapter 110, Section 47 to
8 carry out the provisions of the Water Project Finance Act.

9 Section 2. SEVERANCE TAX BONDS--CHANGING PURPOSES--
10 CHANGING AUTHORIZATIONS AND PROVIDING FOR EXPENDITURES--
11 PROVIDING FOR REVERSION TO THE SEVERANCE TAX BONDING FUND OF
12 ANY BALANCES NOT APPROPRIATED.--

13 A. The proceeds from the severance tax bonds for
14 the capital projects specified in this subsection shall not be
15 expended for their original purposes, but may be expended by
16 the specified state agencies as provided in Subsection B of
17 this section:

18 (1) two hundred forty-six thousand eight
19 hundred eighty-seven dollars (\$246,887) to the capital program
20 fund in Subsection 17 of Section 6 of Chapter 42 of Laws 2007
21 to plan, design and renovate the Mary Medina motor vehicle
22 division field office in Taos in Taos county;

23 (2) five hundred thousand dollars (\$500,000)
24 to the capital program fund in Subsection 19 of Section 5 of
25 Chapter 92 of Laws 2008 to complete renovations at the Mary

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1 Medina motor vehicle division field office in Taos in Taos
2 county;

3 (3) one million two hundred ten thousand
4 dollars (\$1,210,000) to the local government division in
5 Subsection 10 of Section 23 of Chapter 42 of Laws 2007 to
6 design a veterans' and military technology museum in Las Cruces
7 in Dona Ana county and reauthorized to the cultural affairs
8 department in Laws 2008, Chapter 83, Section 196 for that
9 purpose;

10 (4) two hundred sixty thousand dollars
11 (\$260,000) to the local government division in Subsection 5 of
12 Section 7 of Chapter 92 of Laws 2008 to design a veterans' and
13 military technology museum in Las Cruces in Dona Ana county;

14 (5) one million eight hundred thousand dollars
15 (\$1,800,000) to the department of information technology in
16 Laws 2008, Chapter 92, Section 20 to purchase a computing
17 system for the state;

18 (6) four million five hundred thousand dollars
19 (\$4,500,000) to the economic development department in Laws
20 2008, Chapter 92, Section 10 for capital improvements at an
21 automobile manufacturing economic development project in
22 Bernalillo county;

23 (7) two hundred seventy-five thousand dollars
24 (\$275,000) to the public education department in Subsection 14
25 of Section 11 of Chapter 92 of Laws 2008 for a building for the

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1 Espanola military academy in the Espanola public school
2 district in Rio Arriba county;

3 (8) seven hundred fifty thousand dollars
4 (\$750,000) to the energy, minerals and natural resources
5 department in Subsection 1 of Section 14 of Chapter 42 of Laws
6 2007 for facilities at Red Rock state park in Gallup in
7 McKinley county;

8 (9) five hundred forty-eight thousand dollars
9 (\$548,000) to the energy, minerals and natural resources
10 department in Subsection 4 of Section 12 of Chapter 92 of Laws
11 2008 for clean energy grants to public entities or innovative
12 energy projects;

13 (10) two million dollars (\$2,000,000) to the
14 office of the state engineer in Subsection 7 of Section 14 of
15 Chapter 92 of Laws 2008 for emergency repairs at dams
16 statewide;

17 (11) five hundred thirty-six thousand dollars
18 (\$536,000) to the department of finance and administration in
19 Subsection 1 of Section 18 of Chapter 42 of Laws 2007 for pre-
20 kindergarten classrooms, including portables, statewide;

21 (12) two million five hundred thousand dollars
22 (\$2,500,000) to the department of finance and administration in
23 Subsection 5 of Section 17 of Chapter 92 of Laws 2008 for leak
24 detection, regional and demonstration water system projects
25 statewide;

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1 (13) one hundred seventy-seven thousand
2 dollars (\$177,000) to the capital program fund in Subsection 16
3 of Section 6 of Chapter 42 of Laws 2007 and reauthorized to the
4 department of health in Subsection A of Section 4 of Chapter
5 334 of Laws 2007 for improvements and renovations at public
6 health clinics statewide;

7 (14) one million dollars (\$1,000,000) to the
8 department of health in Laws 2007, Chapter 42, Section 21 to
9 plan, design, construct, renovate, equip and furnish regional
10 substance abuse facilities in southern New Mexico;

11 (15) two hundred thousand dollars (\$200,000)
12 to the Indian affairs department in Subsection 27 of Section 19
13 of Chapter 92 of Laws 2008 for infrastructure for affordable
14 housing at the Pueblo of San Ildefonso in Santa Fe county;

15 (16) one million dollars (\$1,000,000) to the
16 local government division in Subsection 5 of Section 23 of
17 Chapter 42 of Laws 2007 for a kitchen and social service office
18 for senior affairs in Albuquerque in Bernalillo county;

19 (17) two million dollars (\$2,000,000) to the
20 local government division in Subsection 9 of Section 21 of
21 Chapter 92 of Laws 2008 for an equestrian facility in
22 Albuquerque in Bernalillo county;

23 (18) four hundred thousand dollars (\$400,000)
24 to the higher education department in Paragraph (2) of
25 Subsection E of Section 24 of Chapter 111 of Laws 2006 for

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1 improvements to the library at the Grants branch campus of New
2 Mexico state university and reauthorized to the local
3 government division in Laws 2008, Chapter 83, Section 158 for
4 renovations to a public library in Grants in Cibola county;

5 (19) one hundred thousand dollars (\$100,000)
6 to the local government division in Subsection 77 of Section 21
7 of Chapter 92 of Laws 2008 for the Santa Fe innovation park in
8 Santa Fe county;

9 (20) two million dollars (\$2,000,000) of the
10 appropriation to the local government division in Subsection 3
11 of Section 23 of Chapter 42 of Laws 2007 for an arena in
12 Albuquerque and reauthorized to the local government division
13 in Paragraph (1) of Subsection C of Section 279 of Chapter 83
14 of Laws 2008 for the film and media production, education and
15 training facilities and other film initiatives statewide;

16 (21) two hundred thousand dollars (\$200,000)
17 to the local government division in Subsection 94 of Section 21
18 of Chapter 92 of Laws 2008 for a facility, equipment and
19 furnishings for the Los Lunas westside fire substation in
20 Valencia county;

21 (22) two million dollars (\$2,000,000) to the
22 department of transportation in Subsection 11 of Section 15 of
23 Chapter 126 of Laws 2004 for improvements to the Coors
24 boulevard and Sequoia road intersection in Albuquerque in
25 Bernalillo county;

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1 (23) ninety-eight thousand seven hundred
2 thirty-two dollars (\$98,732) to the higher education department
3 in Subsection 2 of Section 27 of Chapter 42 of Laws 2007 for
4 the trades and technology building at San Juan college in
5 Farmington in San Juan county; and

6 (24) Section 72-4A-9 NMSA 1978
7 notwithstanding, two million two hundred ninety-five thousand
8 forty dollars (\$2,295,040) to the water project fund in Laws
9 2007, Chapter 42, Section 34 for the purpose of supporting
10 water projects pursuant to the Water Project Finance Act.

11 B. In lieu of the purposes originally specified for
12 the capital projects enumerated in Subsection A of this
13 section, the proceeds from severance tax bonds authorized as
14 indicated in that subsection may be expended in the following
15 amounts by the following agencies for the following purposes:

16 (1) two million eight hundred thousand dollars
17 (\$2,800,000) to the capital program fund to plan, design,
18 construct, renovate and equip a substance abuse treatment
19 center in Los Lunas in Valencia county;

20 (2) two million seven hundred thousand dollars
21 (\$2,700,000) to the energy, minerals and natural resources
22 department for bosque revitalization and to plan and develop
23 trails in the north bosque area along the Rio Grande;

24 (3) one million dollars (\$1,000,000) to the
25 department of environment to plan, design and construct

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1 improvements to the water and wastewater system in Sunland Park
2 in Dona Ana county;

3 (4) two million five hundred thousand dollars
4 (\$2,500,000) to the department of environment to plan, design
5 and construct improvements to the regional wastewater treatment
6 plant in Ruidoso Downs in Lincoln county;

7 (5) one million four thousand dollars
8 (\$1,004,000) to the department of environment to plan, design
9 and construct water system leakage repairs in the Pueblo of
10 Cochiti in Sandoval county;

11 (6) one million dollars (\$1,000,000) to the
12 human services department for domestic violence projects to
13 maintain, repair and renovate facilities to ensure consistent
14 domestic violence service delivery and to plan, design,
15 construct, equip and furnish additional shelters statewide;

16 (7) one million dollars (\$1,000,000) to the
17 Indian affairs department to plan, design and construct
18 improvements to the airport at Ohkay Owingeh in Rio Arriba
19 county;

20 (8) ten million dollars (\$10,000,000) to the
21 Indian water rights settlement fund; notwithstanding the
22 requirement for a joint resolution of the legislature in
23 Subsection A of Section 72-1-11 NMSA 1978, if corresponding
24 commitments have been made for the federal portion of the
25 settlement in the *Navajo Nation*, *Taos* and *Aamodt* cases, the

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1 money may be expended by the interstate stream commission in
2 fiscal year 2009 and subsequent fiscal years to implement the
3 state's portion of the settlement, and unexpended or
4 unencumbered balances shall not revert at the end of a fiscal
5 year;

6 (9) three million dollars (\$3,000,000) to the
7 local government division to plan, design and construct
8 bikeways and horse trails in Santa Fe county; and

9 (10) one million five hundred thousand dollars
10 (\$1,500,000) to the department of transportation for a paved
11 access road for the Strauss facility of the Santa Teresa port
12 of entry in Dona Ana county.

13 C. The state board of finance shall determine which
14 proceeds of the bonds issued for projects specified in
15 Subsection A of this section shall be allocated to which
16 projects specified in Subsection B of this section.

17 D. The agencies specified in Subsection B of this
18 section shall certify that projects can be begun and completed
19 as provided in Laws 2008, Chapter 92, Section 1. The
20 authorizations for projects in Subsection B of this section not
21 certified within two years are void. The unexpended balance of
22 appropriations for projects in Subsection B shall revert at the
23 end of fiscal year 2013 or upon completion of the project,
24 whichever is earlier.

25 E. Any unexpended balances from appropriations made

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1 for capital outlay projects specified in Subsection A of this
2 section that are not appropriated pursuant to Subsection B of
3 this section shall revert to the severance tax bonding fund on
4 the effective date of this act.

5 Section 3. EMERGENCY.--It is necessary for the public
6 peace, health and safety that this act take effect immediately.

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